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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/651,443	08/30/2003	Brian L. McMurray	7373-002	8744

4678   7590   03/26/2009
MACCORD MASON PLLC
300 N. GREENE STREET, SUITE 1600
P. O. BOX 2974
GREENSBORO, NC 27402

EXAMINER
WORRELL JR, LARRY D

ART UNIT	PAPER NUMBER
3765	

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03/26/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: BRIAN L. MCMURRAY

Application No. 10/651,443
Technology Center 3700

Mailed: March 26 2009

Before DALE SHAW *Chief Appeals Administrator*
SHAW, *Chief Appeals Administrator.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent

Appeals and Interferences on March 17, 2009. A review of the application

revealed that it is not ready for docketing as an appeal. Accordingly, the

application is herewith being returned to the Examiner to address the following

matter(s) requiring attention prior to docketing.

REQUEST FOR CONTINUED EXAMINATION (RCE)

Appellant(s) filed an RCE dated March 25, 2009. There is no indication on the record that the Examiner has considered the above RCE.

CONCLUSION

Accordingly, it is ORDERED that the application is returned to the Examiner:

1) consider the RCE filed March 25, 2009, as required; and

2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DS/dw

MACCORD MASON PLLC
300 N. GREENE STREET, SUITE 1600
P.O. BOX 2974
GREENSBORO NC 27402